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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,420	07/08/2003	Ronald Hegli	WEBSER.013C1	1267
20995 7590 11/10/2010 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614				
EXAMINER				
BLAIR, DOUGLAS B				
ART UNIT		PAPER NUMBER		
2442				
NOTIFICATION DATE		DELIVERY MODE		
11/10/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/616,420

Applicant(s)

HEGLI ET AL.

Examiner

DOUGLAS B. BLAIR

Art Unit

2442

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 19, 20, 25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 19, 20, 25 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB-06)
Paper No(s)/Mail Date 10/18/2010
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/18/2010 has been entered.

Response to Arguments

Applicant's arguments filed 10/18/2010 have been fully considered but they are not persuasive with respect to claim 1 and its dependents but are persuasive with respect to claim 19 and its dependents.

The applicant argues on page 4 of the remarks that the applicant has amended the claims along the lines suggested by the Examiner in the previous office action. This is not correct. The applicant's amendments do not overcome the previous rejection. The cited portion of Freund still covers "each" Internet site a user is accessing because each site is logged by the client monitor and provided to the supervisor program (col. 28, lines 26-31). By receiving the log the supervisor is determining each Internet site a user is accessing. Claim 1 does not require the timer and blocking to be implemented at a central device. Claim 19 does require the timing and blocking to be implemented at a central device so the applicant's arguments are persuasive.

After further search and consideration of the applicant's IDS filed on 10/18/2010, a new grounds of rejection is written based on International Publication Number WO 98/28690 by Willens (Part of IDS).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,987,611 to Freund et al. in view of U.S. Patent Number 5,801,747 to Bedard and in further view of U.S. Patent Number 6,486,892 to Stern.

As to claim 1, Freund teaches a method of controlling user access to Internet sites, comprising: determining within a central device of a local area network (Supervisor in Figure 3A) an Internet site that a user is accessing (col. 28, lines 2-32); providing a timer; incrementing said timer with time spent accessing Internet site by said user and blocking said user from accessing the Internet site when said timer reaches a predetermined level (Figure 7A and col. 9, line 64-col. 10, line 43); however Freund does not explicitly teach limiting based on a content category of Internet sites. Freund does suggest that it may be beneficial to limit the access to certain types of content (col. 9, lines 38-41).

Bedard teaches a method of monitoring including a profile that can be used to control the amount of time that information can be accessed for a particular category of content (col. 7, line 65-col. 8, line 6, in this case television).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Freund regarding limiting the amount of time a use can spend on an internet site with the teachings of Bedard regarding monitoring time access to content categories because content categories would allow a user of Freund's system to more broadly characterize rules instead of having to type each website in manually as shown in Figure 7A of Freund. Also, Stern shows the use of the same profile and rules for managing both internet content and television content (such as that explicitly monitored in Bedard) and how the teachings from either type of content can apply to one another, especially in the context of the applicant's broadly claimed invention (See Summary and corresponding disclosure in Stern).

As to claims 2 and 3, Freund allows a user to pick any arbitrary amount of time (Figure 7A).

As to claims 4 and 5, Freund shows that the time limit can be in effect for one day (Figure 7A).

As to claim 6, a second rule can be plugged into Figure 7A of Freund for a second content category.

As to claim 7, Freund teaches logging activities (col. 9, lines 17-19).

As to claim 8, Freund does not state that the Freund invention applies to cached webpages. Therefore a user of the Freund-Bedard-Stern combination would not be restricted from cached web pages as is conventionally known.

As to claims 25, the applicant's specification does not provide a limiting definition for the term internet gateway "system". The previously cited Supervisor reads on the claimed internet gateway "system" because it is clearly in communication and control over the internet gateway (col. 28, lines 29-32).

Claims 1-8, 19, 20, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over International Publication Number WO 98/28690 by Willens (Part of IDS) in view of U.S. Patent Number 5,801,747 to Bedard and U.S. Patent Number 6,486,892 to Stern in further view of U.S. Patent Number 5,987,611 to Freund et al..

As to claim 1, Willens teaches a method of controlling access to Internet sites between a local area network and an Internet, comprising: determining within a central device of a local area network a content category of each Internet site that a user is accessing, said Internet site being previously associated with said content category outside the local area network; and blocking said user from accessing Internet sites in said content category (page 6, the ISP's can categorize content as "adult" and "kid" and block access accordingly); however Willens does not teach blocking a site after a time level is reached nor limiting the time for certain content.

Bedard teaches a method of monitoring including a profile that can be used to control the amount of time that information can be accessed for a particular category of content (col. 7, line 65-col. 8, line 6, in this case television).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Willens regarding a central site for blocking content categories with the teachings of Bedard regarding monitoring time access to content categories because Bedard offers a management of larger array of categories that a kid might be

interested in. Also, Stern shows the use of the same profile and rules for managing both internet content and television content (such as that explicitly monitored in Bedard) and how the teachings from either type of content can apply to one another, especially in the context of the applicant's broadly claimed invention (See Summary and corresponding disclosure in Stern).

Freund teaches a method of providing a timer; incrementing said timer with time spent accessing Internet site by said user and blocking said user from accessing the Internet site when said timer reaches a predetermined level (Figure 7A and col. 9, line 64-col. 10, line 43).

It would have been obvious to those of ordinary skill in the Computer Networking art at the time of the applicant's invention to combine the teachings of the Willens-Bedard-Stern combination regarding a central device for blocking content categories with the teachings of Freund regarding time limits for internet access because Freund provides a means for a central administrator to set desired time limits.

As to claims 2 and 3, Freund allows a user to pick any arbitrary amount of time (Figure 7A).

As to claims 4 and 5, Freund shows that the time limit can be in effect for one day (Figure 7A).

As to claim 6, a second rule can be plugged into Figure 7A of Freund for a second content category.

As to claim 7, Freund teaches logging activities (col. 28, lines 2-31).

As to claim 8, A user of the Willens-Freund-Bedard-Stern combination would not be restricted from cached web pages as is conventionally known.

As to claims 19 and 20, they are directed towards a system for implementing the method of claims 1 and 8 and are therefore rejected for the same reasoning as claims 1 and 8.

As to claims 25 and 26, the ISP in Willens reads on the gateway system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOUGLAS B. BLAIR whose telephone number is (571)272-3893. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Douglas B Blair/
Primary Examiner, Art Unit 2442